

# Education and Home Affairs Scrutiny Panel

## Record of Meeting

Date: 4th March 2013

Meeting No: 28

Present	Deputy J. M. Maçon, Chairman Connétable M. P. S. Le Troquer, Vice Chairman Deputy M. Tadier
In attendance	M. Haden, Scrutiny Officer

Ref Back	Agenda matter	Action
	<p><b>1. Minutes</b></p> <p>The Minutes of the meetings held on 4th February 2013 were approved and signed.</p>	
516/1(44)	<p><b>2. Work programme 2013: Home Affairs issues</b></p> <p>The Panel received notes of the informal briefing held with the Minister for Home Affairs on 22nd February 2013.</p> <p>The Panel noted that the States of Jersey Policing Plan for 2013 included reference to plans to upgrade the police CCTV systems. This would fit in with the Panel's planned review of surveillance rescheduled to commence later in March.</p>	
<p><b>Item 10</b> <b>04.02.13</b></p> <p><b>516/34</b></p>	<p><b>3. Prison Service: treatment of mental health issues</b></p> <p>The Panel received the Assistant Minister for Health and Social Services together with the Director and Directorate Manager of Adult Services, Clinical Director, Mental Health Services and Service Manager of Adult Mental Health for a public hearing connected with the evidence given by Advocate C. Fogarty on 14th January 2013. The Health and Social Services representatives considered that a number of statements made by Advocate Fogarty were misleading and inaccurate.</p> <p>The Panel also met with the witnesses in private session to deal with matters relating to individuals named by Advocate Fogarty.</p> <p>Prior to this session the Panel met with the Data Protection Commissioner to consider the rationale for her request to redact from the transcript of the public hearing the names of individuals referred to by Advocate Fogarty who had been in receipt of services from Adult Mental Health Services. The Commissioner acknowledged that the details of the cases had been recorded in court judgments but argued that, unless necessary to support the evidence and unless the individuals had given informed consent to the use of sensitive personal data, publication of names should be avoided in the long term interests of individuals whose rehabilitation might be damaged by such details continuing to be available online.</p> <p>Following the hearings, the Panel considered how to evaluate the conflicting views they had received regarding the services provided to</p>	

	defendants. Mindful of the complexities of the issues and that mental healthcare in prisons had been the subject of a number of recent reviews in the United Kingdom, members agreed that it would be helpful to seek expert, independent opinion to review and comment on all the evidence received by the Panel. The Scrutiny Officer was requested to make relevant enquiries.	<b>MH</b>
<b>Item 9 04.02.13  516/37</b>	<b>4. Control of Public Entertainment</b>  The Panel approved a scoping document and draft press release for a review of the Bailiff's functions with regard to the licensing and control of public entertainment.	
<b>Item 6 22.06.12  516/33</b>	<b>5. Customs and Immigration Service: resources for the prevention of importation of illegal drugs</b>  The Panel considered a draft report on its investigation into the potential risks associated with ongoing staff shortages at the Customs and Immigration Service.  The Panel approved the draft for initial circulation to the agencies consulted in the short review.	<b>MH</b>
<b>516/1(44)</b>	<b>6. Letter referring to a case handled by the States of Jersey Police and the Law Officers Department</b>  The Panel considered correspondence dated 18th February 2013 from St Helier resident relating to the failure of the States of Jersey Police and the Law Officers Department to protect himself and his family from aggressive behaviour from his neighbour.  The Panel noted that the matter had been taken up by a States member and had been the subject of questions in the States Assembly.  Members agreed that a complaint of this nature did not fall within its remit (reference Code of Practice 7.11). The Police complaints Commission had been established to investigate complaints against the police. Nor could the Panel review the outcome of a court case.	
	<b>11. Next Panel Meeting - Monday 8th April 2013.</b>	